

PATENT Attorney Docket No. 20496-483			
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE			
APPLICANTS:	Heimann	CONFIRMATION NO.:	6438
SERIAL NO.:	10/540,343	EXAMINER:	Bennett, George B.
FILING DATE:	January 20, 2006		
TITLE:	"Device for measuring the roundness of a railroad wheel"		

Mail Stop Issue Fee
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE
CORRECTED APPLICATION PAPERS
(Notice of Allowance Mailed)

In response to the Notice to File Corrected Application Papers mailed on April 30, 2008 (the "Notice"), we enclose 5 replacement sheets (FIGS. 1-8) which have been amended in compliance with 37 CFR 1.121. Specifically, the figure labels in replacement sheets 1-5 have been edited to include English language figure labels as required in the enclosed Notice. Applicants respectfully submit that no new matter has been introduced.

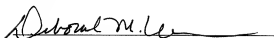
Applicants believe that this submission cures all deficiencies thereby completing the application for issuance. In the event Applicants are mistaken and the application is still considered to be informal, Applicants request that the U.S. Patent Office contact the undersigned for further clarification of any remaining defects.

Applicants believe no fee is due. However, if the Applicants are mistaken, the Commissioner is hereby authorized to charge Deposit Account No. 50-3081 for any fees that may be due this matter.

Respectfully submitted,

Date: June 3, 2008
Reg. No.: 55,699

Tel. No.: (617) 526-9836
Fax No.: (617) 526-9899


Deborah M. Vernon
Attorney for the Applicant(s)
Proskauer Rose LLP
One International Place
Boston, MA 02110



UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

RECEIVED
MAY 05 2008UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,343	01/20/2006	Alfred Heimann	20496-483	6438

42532 7590 04/30/2008
PROSKAUER ROSE LLP
ONE INTERNATIONAL PLACE
BOSTON, MA 02110

EXAMINER

BENNETT, GEORGE B

ART UNIT	PAPER NUMBER
----------	--------------

2859

MAIL DATE	DELIVERY MODE
-----------	---------------

04/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Serial No. : 10/540343
Applicant: Heimann
Filing Date : 01/20/06
Date Mailed : 04/30/08

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 2 months from the mail date of this Notice within which to correct the informalities indicated below. If the informality pertains to the abstract, specification (including claims) or drawings, the informality must be corrected with an amendment in compliance with 37 CFR 1.121 (or, if the application is a reissue application, 37 CFR 1.173). Such an amendment may be filed after payment of the issue fee if limited to correction of informalities noted herein. See Waiver of 37 CFR 1.312 for Documents Required by the Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004). In addition, if the informality is not corrected until after payment of the issue fee, for purposes of 35 U.S.C. 154(b)(1)(iv), "all outstanding requirements" will be considered to have been satisfied when the informality has been corrected. A failure to reply will result in the application being ABANDONED. **This period for reply is NOT extendable under 37 CFR 1.136(a).**

See attachment.

Figure labels appear to be in a foreign language. Please provide replacement drawings.

*A copy of this notice MUST be returned with the reply. Please address response to
"Mail Stop Issue Fee, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450".*

L. Fletcher _____

Your name

Office of Patent Publication

Phone: 703-308-9250, ext. 143

COPY

Application No. 10/540343 _____ Drawings filed 01/20/06 _____

IDENTIFICATION OF DRAWING DEFICIENCIES

- ☐ There is a hole or the image thereof within the illustration. FIG(s) _____
- ☐ The character of the lines, numbers and letters is poor. FIG(s) _____
- ☐ The illustration is penetrated or traversed by a solid or broken line that is not intended to be part of the drawing, such as a dark line caused by a flaw in the copying process. FIG(s) _____
- ☐ An ink stamp or an image obscures part of the illustration. FIG(s) _____
- ☐ The drawing is marred by black smudges, obliterations, or fax/copier marks. FIG(s) _____
- ☐ Figure numbers are duplicated or missing. FIG(s). _____
- ☐ Numbers, letters, or reference characters in the drawing have been crossed out by hand or are illegibly handwritten. FIG(s) _____
- ☐ The drawing's background shows that the original drawing was made on graph paper or other paper with a pattern or decoration. FIG(s) _____
- ☐ The FIG. number label is placed in a location that causes the drawing to be read upside down. FIG(s) _____
- ☐ Data, a reference number, or part of the drawing is truncated or missing. FIG(s) _____
- ☐ The drawing is continued onto a second page (or more) without proper labeling under 37 CFR 1.84(u)(1). FIG(s) _____
- ☐ The drawing and/or the FIG. label contain(s) foreign language. FIG(s) _____
- ☐ Color drawings are present in this application but the following 37 CFR 1.84(a) requirements have not been met*:
 - ☐ Petition filed
 - ☐ Petition fee
 - ☐ 3 sets of color drawings
 - ☐ Color drawing paragraph

*If color drawings are not elected, then applicant **must respond** so stating. Also, references to color drawings in the specification, if any, must be amended.381.

COMMENTS: **Figure labels appear to be in foreign language. Please provide replacement drawings.**